IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 20 OF 2006

Shri Ramesh Padu Dongre. ...Applicant
V/s.
The State of Maharashtra. ...Respondent

Mr.G.V. Bhagat for Applicant.
Mr.S.S. Tatkare, APP for the State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 30, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. It is alleged by the applicant that the false complaint has been filed against him by the complainant. In a complainant's institute, the applicant was working as secretary in the year 2004. It is alleged that the applicant alongwith others extorted an amount of Rs.50,000/- from the complainant. It is submitted that the applicant had resigned as a Secretary from the institute, however, he had worked for a year as a teacher and his salary was not paid. It is submitted that the amount which was received by the applicant was

towards the part payment of his salary which was legally due and payable to him by the complainant.

2. The affidavit-in-reply is filed in which it is alleged that the applicant and other accused are involved in a number of cases. The list of the cases is given in para 5 against the co-accused Bhagwan Gopal Gaikwad and the list of cases four in number against the present applicant is mentioned in para 10. The APP has alleged that the applicant is involved in a large number of cases of extortion and their custodial interrogation is necessary.

3. Though the fact that the applicant was employee of the complainant is not denied, considering the number of cases which are pending against the applicant and the co-accused, in my view, this is not a fit case for grant of anticipatory bail. It is settled position in law that the parameters for grant of anticipatory bail and regular bail are different. Though the applicant have a good case for grant of bail on regular basis, in my view, he is not entitled to be granted anticipatory bail

considering his past antecedents.

4. The trial court, however, may consider the application for bail on merits and will not be influenced by the observations made by this Court while rejecting the application of the applicant for anticipatory bail.

. The application, accordingly, is disposed of.

(V.M. KANADE, J.)